IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA
C.W.P. No: 530 of 2004

Judgment reserved on:19.6.2007

Date of decision: 19.7.2007

State of H.P. and others **Petitioners**

Versus

Durga Dass **Respondent**

Coram

The Hon'ble Mr. Justice Deepak Gupta, J

The Hon'ble Mr. Justice V.K.Ahuja, J.

Whether approved for reporting?[1]

Mr.M.S.Chandel, Advocate General with Mr. R.M. Bisht, Deputy Advocate General, for the petitioners.

Mr. R.K.Sharma, counsel for the respondent.

Per Deepak Gupta, J.

This writ petition is being disposed of in light of the decision of date rendered in CWP No. 180 of 2001.

In this case the employee was engaged on daily wages on 1.1.1979. He was regularised w.e.f. 1.1.1994 and retired from government service on 30.6.2001. He rendered 15 years of continuous service on daily wages. 50% of the service rendered as daily rated employee shall have to be counted. Counting 50% of his service on daily wages i.e. 7 years and 6 months

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[1] ***Whether the reporters of the local papers may be allowed to see the Judgment?***

and his regular service of 7 years, 6 month, the total service rendered by him comes to 15 years. The petitioner-State is directed to treat this service rendered by the employee as qualifying service, calculate the pension and pay the same to the employee accordingly. The arrears of pension and pension be released to the employee latest by 31st December, 2007. The petitioner-State shall also pay interest at the rate of 7**1/2%** per annum from the date the pension fell due till date of deposit/payment of the same. The writ petition is disposed of in the aforesaid terms with no order as to costs.

(Deepak Gupta), J.

July 19, 2007(K) (V.K.Ahuja), J.